

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

WP(C).No. 18914 of 2005(B)

PETITIONER:

**DR. P. JAYALEKSHMI, LECTURER IN
SOCIOLOGY, REGIONAL CANCER CENTRE,
THIRUVANANTHAPURAM.**

**BY ADV. SRI.R.RAJASEKHARAN PILLAI,
SMT.SABINA JAYAN,
SRI.M.S.NISHAD.**

RESPONDENTS:

- 1. THE SECRETARY, DEPARTMENT OF HEALTH
AND FAMILY WELFARE GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.
(CHAIRMAN EXECUTIVE COMMITTEE RCC).**
- 2. THE REGIONAL CANCER CENTRE,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
DIRECTOR.**

**BY ADV. SRI.K.R.RADHAKRISHNAN NAIR, SC, R.C.C,
GOVT. PLEADER SRI. P. NANDAKUMAR.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 18/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

W.P.(C). NO.18914/2005:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER NO. 2030/ADMN.1/2001/RCC DTD. 27/06/2001 OF THE R.2.

EXT.P.2: COPY OF THE ORDER NO. G.O. (MS).76/95/H&FWD DTD. 27/03/1995 OF THE R.1.

EXT.P.3: COPY OF THE CIRCULAR NO. 2030/2002/ADMN.1/RCC DTD. 22/10/2002 OF THE R.2.

EXT.P.4: COPY OF THE REPRESENTATION DTD. 16/11/04 SUBMITTED BY THE PETITIONER BEFORE THE R.1.

RESPONDENT'S EXHIBIT:

EXT.R1: COPY OF THE ORDER DTD. 01/06/01.

//TRUE COPY//

prv.

K.BALAKRISHNAN NAIR, J.

W.P.(C) No. 18914 of 2005-B

Dated this the 18th day of July, 2007.

J U D G M E N T

The petitioner is presently working as Lecturer in Sociology. She claims promotion to the post of Assistant Professor, on completion of 3 years service, in terms of Ext.P2 Government Order dated 27-3-1995. Feeling aggrieved by the omission of the respondents to grant the said promotion, she filed Ext.P4 representation. Thereafter, this writ petition is filed seeking appropriate reliefs.

2. The second respondent has filed a counter affidavit in which it is submitted that the issue regarding promotion of non-academic staff who were inducted into academic group on acquisition of qualifications is under the supervision of the competent body of Regional Cancer Centre. The case of the petitioner and other similarly placed persons is also being examined.

2. Heard the learned counsel on both sides.

3. The second respondent is directed to take a decision on the claim of the petitioner for promotion to the post of Assistant Professor, in terms of Ext.P2 Government Order, within two months from the date of production of a copy of this judgment. If there is any objection in granting upgradation, the petitioner shall be put on notice and she shall be given an opportunity to represent against the same, before final orders are passed.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS